Government Rests In Viereck Case

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Agent's Reports To Berlin Placed In Trial Record

By Adele Bernstein
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The United States Government rested its case against German agent, George Sylvester Viereck, late yesterday afternoon, after a day of sensational testimony with which Prosecutors George A. McNulty and Albert E. Arent will ask conviction on six violations of the Foreign Agents Registration Act.

Highlighting yesterday's courtroom scene was a series of exhibits based on lengthy pro-Nazi reports on American public opinion Viereck sent by devious routes to the German government in Berlin a few short months before Pearl Harbor. This was the period during which their author, in a sworn statement to the State Department, claimed to be acting merely as "author and publicist" for an independent German newspaper, the Muenchner Neuseste Nachrichten, and employe of the German Library of Information in New York City.

Intercepted by British

Intercepted by the British imperial censorship in Bermuda in late summer of 1941, the reports were en route to various prearranged way stations in Lisbon, Portugal. Each was enclosed in two envelopes—the outer one directed to an innocuous-sounding address in the neutral capital. Inside, however, another envelope bore the name of Dr. Hans Heinrich Dieckhoff, German Foreign Office, Berlin. Dr. Dieckhoff was the official German Ambassador to the United States, at that time recalled to Germany.

These reports, made available by the imperial censorship in Bermuda, a member of whose staff, Miss Mayda Gardner, testified yesterday, show an amazing combination of naivete and careful study of trends in American thinking:

"Senator Holt has written two books on the subject (the financial interests behind the war-mongers) which will shortly be published by an enterprising, patriotic American firm. I shall send you these books as soon as they are available . . . Flanders Hall has just published a sensational and courageous book by Stephen A. Day, Congressman-at-Large for the State of Illinois, a Republican . . . Mr. William J. Donovan, who used to be so pro-German and was dined and wined by Dr. Borchers, is to coordinate all intelligence services as well as counterespionage," Viereck complained.

Reactions Discussed

Other similar reports discussed at length reactions in the American press, radio and Congress of events in Europe and Nazi Germany, all hopefully citing the "growing sentiments" for a peace offensive among the American people. At one point, however, after declaring that Catholic sentiment here against war is growing stronger, he wrote peevishly: "It is very unfortunate that at this very moment the bishops of greater Germany allegedly issued a pastoral letter assailing Nazi steps against the church in connection with the school problem."

A description of the Foreign Office, the Ministry of Public Enlightenment and Propaganda, and their personnel, including Dr. Paul J. Goebbels, was made by Dr. R. M. W. Kempner who took the stand for the Government during the morning. An expert on German law, administration and government, which he is currently teaching at the University of Pennsylvania to prospective occupational police, Dr. Kempner declared that the Munich nwspaper for which Viereck worked was controlled and staffed by Goebbels' own ministry.

Other Witnesses

Adding their testimony to the Government's case yesterday were H. Charles Spruks, a State Department official; Mrs. Phyllis Spielman, secretary to the late Senator Lundeen; Sigrid Schultz, Berlin correspondent for the Chicago Tribune; James V. Blaine, special FBI agent, and Dr. Paul Schwarz, former German Consul at Large for New York State.

Counsels Leo A. Rover and John Wilson will open their defense of Viereck on Monday. In adjourning the case until then, Justice Bolitha J. Laws repeated earlier instructions to the jury of seven men and five women not to read or listen to reports on the trial.